

By: Springer

H.B. No. 4448

A BILL TO BE ENTITLED

AN ACT

relating to the use of an unmanned aircraft.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sec. 423.001. DEFINITION. (a) In this chapter,

(1) "Correctional facility" means:

(A) a confinement facility operated by or under contract with any division of the Texas Department of Criminal Justice;

(B) a municipal or county jail;

(C) a confinement facility operated by or under contract with the Federal Bureau of Prisons; or

(D) a secure correctional facility or secure detention facility, as defined by Section 51.02, Family Code.

(2) "Dam" means any barrier, including any appurtenant structures, that is constructed for the purpose of permanently or temporarily impounding water.

(3) "Detention facility" means a facility operated by or under contract with United States Immigration and Customs Enforcement for the purpose of detaining aliens and placing them in removal proceedings.

(4) "image" means any capturing of ~~sound waves, thermal, infrared, ultraviolet,~~ visible light, ~~or other electromagnetic waves, odor, or other conditions existing~~ on or about real property in this state or an individual located on that

1 property.

2 (5) "sports venue" means an arena, automobile
3 racetrack, coliseum, stadium, or other type of area or facility
4 that:

5 (A)~~(1)~~ has a seating capacity of 30,000 or more
6 people; and

7 (B)~~(2)~~ is primarily used for one or more
8 professional or amateur sports or athletics events.

9 SECTION 2. Sec. 423.002. NONAPPLICABILITY. (a) It is
10 lawful to capture an image using an unmanned aircraft in this state:

11 (1) for the purpose of professional or scholarly
12 research and development or for another academic purpose by a
13 person acting on behalf of an institution of higher education or a
14 private or independent institution of higher education, as those
15 terms are defined by Section 61.003, Education Code, including a
16 person who:

17 (A) is a professor, employee, or student of the
18 institution; or

19 (B) is under contract with or otherwise acting
20 under the direction or on behalf of the institution;

21 (2) in airspace designated as a test site or range
22 authorized by the Federal Aviation Administration for the purpose
23 of integrating unmanned aircraft systems into the national
24 airspace;

25 (3) as part of an operation, exercise, or mission of
26 any branch of the United States military;

27 (4) if the image is captured by a satellite for the

1 purposes of mapping;

2 (5) if the image is captured by or for an electric or
3 natural gas utility or a telecommunications provider:

4 (A) for operations and maintenance of utility or
5 telecommunications facilities for the purpose of maintaining
6 utility or telecommunications system reliability and integrity;

7 (B) for inspecting utility or telecommunications
8 facilities to determine repair, maintenance, or replacement needs
9 during and after construction of such facilities;

10 (C) for assessing vegetation growth for the
11 purpose of maintaining clearances on utility or telecommunications
12 easements; and

13 (D) for utility or telecommunications facility
14 routing and siting for the purpose of providing utility or
15 telecommunications service;

16 (6) with the consent of the individual who owns or
17 lawfully occupies the real property captured in the image;

18 (7) pursuant to a valid search or arrest warrant;

19 (8) if the image is captured by a law enforcement
20 authority or a person who is under contract with or otherwise acting
21 under the direction or on behalf of a law enforcement authority:

22 (A) in immediate pursuit of a person law
23 enforcement officers have reasonable suspicion or probable cause to
24 suspect has committed an offense, not including misdemeanors or
25 offenses punishable by a fine only;

26 (B) for the purpose of documenting a crime scene
27 where an offense, not including misdemeanors or offenses punishable

1 by a fine only, has been committed;

2 (C) for the purpose of investigating the scene
3 of:

4 (i) a human fatality;

5 (ii) a motor vehicle accident causing death
6 or serious bodily injury to a person; or

7 (iii) any motor vehicle accident on a state
8 highway or federal interstate or highway;

9 (D) in connection with the search for a missing
10 person;

11 (E) for the purpose of conducting a high-risk
12 tactical operation that poses a threat to human life;

13 (F) of private property that is generally open to
14 the public where the property owner consents to law enforcement
15 public safety responsibilities; or

16 (G) of real property or a person on real property
17 that is within 25 miles of the United States border for the sole
18 purpose of ensuring border security;

19 (9) if the image is captured by state or local law
20 enforcement authorities, or a person who is under contract with or
21 otherwise acting under the direction or on behalf of state
22 authorities, for the purpose of:

23 (A) surveying the scene of a catastrophe or other
24 damage to determine whether a state of emergency should be
25 declared;

26 (B) preserving public safety, protecting
27 property, or surveying damage or contamination during a lawfully

1 declared state of emergency; or

2 (C) conducting routine air quality sampling and
3 monitoring, as provided by state or local law;

4 (10) at the scene of a spill, or a suspected spill, of
5 hazardous materials;

6 (11) for the purpose of fire suppression;

7 (12) for the purpose of rescuing a person whose life or
8 well-being is in imminent danger;

9 (13) if the image is captured by a Texas licensed real
10 estate broker in connection with the marketing, sale, or financing
11 of real property, provided that no individual is identifiable in
12 the image;

13 (14) from a height no more than eight feet above ground
14 level in a public place, if the image was captured without using any
15 electronic, mechanical, or other means to amplify the image beyond
16 normal human perception;

17 (15) of public real property or a person on that
18 property;

19 (16) if the image is captured by the owner or operator
20 of an oil, gas, water, or other pipeline for the purpose of
21 inspecting, maintaining, or repairing pipelines or other related
22 facilities, and is captured without the intent to conduct
23 surveillance on an individual or real property located in this
24 state;

25 (17) in connection with oil pipeline safety and rig
26 protection;

27 (18) in connection with port authority surveillance

1 and security;

2 (19) if the image is captured by a registered
3 professional land surveyor in connection with the practice of
4 professional surveying, as those terms are defined by Section
5 1071.002, Occupations Code, provided that no individual is
6 identifiable in the image;

7 (20) if the image is captured by a professional
8 engineer licensed under Subchapter G, Chapter 1001, Occupations
9 Code, in connection with the practice of engineering, as defined by
10 Section 1001.003, Occupations Code, provided that no individual is
11 identifiable in the image; or

12 (21) if:

13 (A) the image is captured by an employee of an
14 insurance company or of an affiliate of the company in connection
15 with the underwriting of an insurance policy, or the rating or
16 adjusting of an insurance claim, regarding real property or a
17 structure on real property; and

18 (B) the operator of the unmanned aircraft is
19 authorized by the Federal Aviation Administration to conduct
20 operations within the airspace from which the image is captured.

21 (22) if the image is:

22 (A) captured by a person operating the unmanned
23 aircraft:

24 (i) for a commercial purpose; and

25 (ii) in compliance with Federal Aviation
26 Administration regulations, authorizations or exemptions; and

27 (B) reasonably related to the commercial

1 purpose, including images captured for purposes of navigation or
2 public safety

3 (b) This chapter does not apply to the manufacture,
4 assembly, distribution, or sale of an unmanned aircraft.

5 SECTION 3. Sec. 423.003. ~~OFFENSE: ILLEGAL USE OF UNMANNED~~
6 ~~AIRCRAFT TO CAPTURE IMAGE.~~ OPERATION OF UNMANNED AIRCRAFT OVER
7 CORRECTIONAL FACILITY, DETENTION FACILITY, OR CRITICAL
8 INFRASTRUCTURE FACILITY OR SPORTS VENUE. (a) ~~A person commits an~~
9 ~~offense if the person uses an unmanned aircraft to capture an image~~
10 ~~of an individual or privately owned real property in this state with~~
11 ~~the intent to conduct surveillance on the individual or property~~
12 ~~captured in the image.~~

13 ~~(b) An offense under this section is a Class C misdemeanor.~~

14 ~~(c) It is a defense to prosecution under this section that~~
15 ~~the person destroyed the image:~~

16 ~~(1) as soon as the person had knowledge that the image~~
17 ~~was captured in violation of this section; and~~

18 ~~(2) without disclosing, displaying, or distributing~~
19 ~~the image to a third party.~~

20 ~~(d) In this section, "intent" has the meaning assigned by~~
21 ~~Section 6.03, Penal Code.~~

22 ~~Added by Acts 2013, 83rd Leg., R.S., Ch. 1390 (H.B. 912), Sec. 2,~~
23 ~~eff. September 1, 2013.~~

24 (a) In this section:

25 (1) "Critical infrastructure facility" means:

26 (A) one of the following, if ~~completely~~ enclosed
27 by a fence or other physical barrier that is obviously designed to

1 exclude intruders, or if clearly marked with a sign or signs that
2 are posted on the property, are reasonably likely to come to the
3 attention of intruders, and indicate that entry is forbidden:

4 (i) a petroleum or alumina refinery;

5 (ii) an electrical power generating
6 facility, substation, switching station, or electrical control
7 center;

8 (iii) a chemical, polymer, or rubber
9 manufacturing facility;

10 (iv) a water intake structure, water
11 treatment facility, wastewater treatment plant, or pump station;

12 (v) a natural gas compressor station;

13 (vi) a liquid natural gas terminal or
14 storage facility;

15 (vii) a telecommunications central
16 switching office or any structure used as part of a system to
17 provide wired or wireless telecommunications services;

18 (viii) a port, railroad switching yard,
19 trucking terminal, or other freight transportation facility;

20 (ix) a gas processing plant, including a
21 plant used in the processing, treatment, or fractionation of
22 natural gas;

23 (x) a transmission facility used by a
24 federally licensed radio or television station;

25 (xi) a steelmaking facility that uses an
26 electric arc furnace to make steel;

27 (xii) a dam that is classified as a high

1 hazard by the Texas Commission on Environmental Quality; or

2 (xiii) a concentrated animal feeding
3 operation, as defined by Section 26.048, Water Code; or

4 ~~(B) if enclosed by a fence or other physical
5 barrier obviously designed to exclude intruders.~~

6 (xiv) any portion of an aboveground oil,
7 gas, or chemical pipeline;

8 (xvii) an oil or gas drilling site;

9 (xviii) a group of tanks used to store crude
10 oil, such as a tank battery;

11 ~~(ixvii)~~ an oil, gas, or chemical production
12 facility;

13 (xviii) an oil or gas wellhead; or

14 ~~(vixix)~~ any oil and gas facility that has an
15 active flare.

16 ~~(1) "Correctional facility" means:~~

17 ~~(A) a confinement facility operated by or under
18 contract with any division of the Texas Department of Criminal
19 Justice;~~

20 ~~(B) a municipal or county jail;~~

21 ~~(C) a confinement facility operated by or under
22 contract with the Federal Bureau of Prisons; or~~

23 ~~(D) a secure correctional facility or secure
24 detention facility, as defined by Section 51.02, Family Code.~~

25 ~~(1 a) "Critical infrastructure facility" means:~~

26 ~~(A) one of the following, if completely enclosed
27 by a fence or other physical barrier that is obviously designed to~~

1 ~~exclude intruders, or if clearly marked with a sign or signs that~~
2 ~~are posted on the property, are reasonably likely to come to the~~
3 ~~attention of intruders, and indicate that entry is forbidden:~~

4 ~~(ixx) a petroleum or alumina refinery,~~

5 ~~(ixxi) an electrical power generating~~
6 ~~facility, substation, switching station, or electrical control~~
7 ~~center,~~

8 ~~(xxiii) a chemical, polymer, or rubber~~
9 ~~manufacturing facility,~~

10 ~~(xxiiiv) a water intake structure, water~~
11 ~~treatment facility, wastewater treatment plant, or pump station,~~

12 ~~(xxiv) a natural gas compressor station,~~

13 ~~(xxvi) a liquid natural gas terminal or~~
14 ~~storage facility,~~

15 ~~(xxvii) a telecommunications central~~
16 ~~switching office,~~

17 ~~(xxviii) a port, railroad switching yard,~~
18 ~~trucking terminal, or other freight transportation facility,~~

19 ~~(xxviiix) a gas processing plant, including~~
20 ~~a plant used in the processing, treatment, or fractionation of~~
21 ~~natural gas,~~

22 ~~(xxix) a transmission facility used by a~~
23 ~~federally licensed radio or television station,~~

24 ~~(xxxi) a steelmaking facility that uses an~~
25 ~~electric arc furnace to make steel, or~~

26 ~~(xxxii) a dam that is classified as a high~~
27 ~~hazard by the Texas Commission on Environmental Quality, or~~

1 ~~(B) any portion of an aboveground oil, gas, or~~
2 ~~chemical pipeline that is enclosed by a fence or other physical~~
3 ~~barrier that is obviously designed to exclude intruders.~~

4 ~~(2) "Dam" means any barrier, including any appurtenant~~
5 ~~structures, that is constructed for the purpose of permanently or~~
6 ~~temporarily impounding water.~~

7 ~~(3) "Detention facility" means a facility operated by~~
8 ~~or under contract with United States Immigration and Customs~~
9 ~~Enforcement for the purpose of detaining aliens and placing them in~~
10 ~~removal proceedings.~~

11 (b) A person commits an offense if the person intentionally
12 or knowingly:

13 (1) operates an unmanned aircraft over a correctional
14 facility, detention facility, ~~or~~ critical infrastructure facility
15 or sports venue and the unmanned aircraft is not higher than 400
16 feet above ground level;

17 (2) allows an unmanned aircraft to make contact with a
18 correctional facility, detention facility, or critical
19 infrastructure facility, including any person or object on the
20 premises of or within the facility; or

21 (3) allows an unmanned aircraft to come within a
22 distance of a correctional facility, detention facility, or
23 critical infrastructure facility that is close enough to interfere
24 with the operations of or cause a disturbance to the facility.

25 (c) This section does not apply to conduct described by
26 Subsection (b) that is committed by:

27 (1) the federal government, the state, or a

1 governmental entity;

2 (2) a person under contract with or otherwise acting
3 under the direction or on behalf of the federal government, the
4 state, or a governmental entity;

5 (3) a law enforcement agency;

6 (4) a person under contract with or otherwise acting
7 under the direction or on behalf of a law enforcement agency;

8 (5) an owner or operator of the critical
9 infrastructure facility or sports venue;

10 (6) a person under contract with or otherwise acting
11 under the direction or on behalf of an owner or operator of the
12 critical infrastructure facility or sports venue;

13 (7) a person who has the prior written consent of the
14 owner or operator of the critical infrastructure facility or sports
15 venue;

16 (8) the owner or occupant of the property on which the
17 critical infrastructure facility or sports venue is located or a
18 person who has the prior written consent of the owner or occupant of
19 that property; or

20 (9) an operator of an unmanned aircraft that is being
21 used for a commercial purpose, if the operation is conducted in
22 compliance with:

23 (A) each applicable Federal Aviation
24 Administration rule, restriction, or exemption; and

25 (B) all required Federal Aviation Administration
26 authorizations.

27 ~~(c) This section does not apply to:~~

1 ~~(1) conduct described by Subsection (b) that involves~~
2 ~~a correctional facility, detention facility, or critical~~
3 ~~infrastructure facility and is committed by:~~

4 ~~(A) the federal government, the state, or a~~
5 ~~governmental entity;~~

6 ~~(B) a person under contract with or otherwise~~
7 ~~acting under the direction or on behalf of the federal government,~~
8 ~~the state, or a governmental entity;~~

9 ~~(C) a law enforcement agency;~~

10 ~~(D) a person under contract with or otherwise~~
11 ~~acting under the direction or on behalf of a law enforcement agency;~~

12 ~~or~~

13 ~~(E) an operator of an unmanned aircraft that is~~
14 ~~being used for a commercial purpose, if the operation is conducted~~
15 ~~in compliance with:~~

16 ~~(i) each applicable Federal Aviation~~
17 ~~Administration rule, restriction, or exemption; and~~

18 ~~(ii) all required Federal Aviation~~
19 ~~Administration authorizations; or~~

20 ~~(2) conduct described by Subsection (b) that involves~~
21 ~~a critical infrastructure facility and is committed by:~~

22 ~~(A) an owner or operator of the critical~~
23 ~~infrastructure facility;~~

24 ~~(B) a person under contract with or otherwise~~
25 ~~acting under the direction or on behalf of an owner or operator of~~
26 ~~the critical infrastructure facility;~~

27 ~~(C) a person who has the prior written consent of~~

1 ~~the owner or operator of the critical infrastructure facility; or~~
2 ~~(D) the owner or occupant of the property on~~
3 ~~which the critical infrastructure facility is located or a person~~
4 ~~who has the prior written consent of the owner or occupant of that~~
5 ~~property.~~

6 (d) An offense under this section is a Class B misdemeanor,
7 except that the offense is a Class A misdemeanor if the actor has
8 previously been convicted under this section. ~~or Section 423.0046.~~

9 ~~Sec. 423.0046. OFFENSE: OPERATION OF UNMANNED AIRCRAFT OVER~~
10 ~~SPORTS VENUE. (a) In this section, "sports venue" means an arena,~~
11 ~~automobile racetrack, coliseum, stadium, or other type of area or~~
12 ~~facility that:~~

13 ~~(1) has a seating capacity of 30,000 or more people;~~
14 ~~and~~

15 ~~(2) is primarily used for one or more professional or~~
16 ~~amateur sports or athletics events.~~

17 ~~(b) A person commits an offense if the person intentionally~~
18 ~~or knowingly operates an unmanned aircraft over a sports venue and~~
19 ~~the unmanned aircraft is not higher than 400 feet above ground~~
20 ~~level.~~

21 ~~(c) This section does not apply to conduct described by~~
22 ~~Subsection (b) that is committed by:~~

23 ~~(1) the federal government, the state, or a~~
24 ~~governmental entity;~~

25 ~~(2) a person under contract with or otherwise acting~~
26 ~~under the direction or on behalf of the federal government, the~~
27 ~~state, or a governmental entity;~~

1 ~~(3) a law enforcement agency;~~

2 ~~(4) a person under contract with or otherwise acting~~
3 ~~under the direction or on behalf of a law enforcement agency;~~

4 ~~(5) an operator of an unmanned aircraft that is being~~
5 ~~used for a commercial purpose, if the operation is conducted in~~
6 ~~compliance with:~~

7 ~~(A) each applicable Federal Aviation~~
8 ~~Administration rule, restriction, or exemption; and~~

9 ~~(B) all required Federal Aviation Administration~~
10 ~~authorizations;~~

11 ~~(6) an owner or operator of the sports venue;~~

12 ~~(7) a person under contract with or otherwise acting~~
13 ~~under the direction or on behalf of an owner or operator of the~~
14 ~~sports venue; or~~

15 ~~(8) a person who has the prior written consent of the~~
16 ~~owner or operator of the sports venue.~~

17 ~~(d) An offense under this section is a Class B misdemeanor,~~
18 ~~except that the offense is a Class A misdemeanor if the actor has~~
19 ~~previously been convicted under this section or Section 423.0045.~~

20 SECTION 4. Sec. 423.0045. ILLEGALLY OR INCIDENTALLY
21 CAPTURED IMAGES NOT SUBJECT TO DISCLOSURE. (a) Except as otherwise
22 provided by Subsection (b), an image captured in violation of
23 Section 423.003, or an image captured by an unmanned aircraft that
24 was incidental to the lawful capturing of an image:

25 (1) may not be used as evidence in any criminal or
26 juvenile proceeding, civil action, or administrative proceeding;

27 (2) is not subject to disclosure, inspection, or

1 copying under Chapter 552; and

2 (3) is not subject to discovery, subpoena, or other
3 means of legal compulsion for its release.

4 (b) An image described by Subsection (a) may be disclosed
5 and used as evidence to prove a violation of this chapter and is
6 subject to discovery, subpoena, or other means of legal compulsion
7 for that purpose.

8 ~~Sec. 423.006. CIVIL ACTION. (a) An owner or tenant of~~
9 ~~privately owned real property located in this state may bring~~
10 ~~against a person who, in violation of Section 423.003, captured an~~
11 ~~image of the property or the owner or tenant while on the property~~
12 ~~an action to:~~

13 ~~(1) enjoin a violation or imminent violation of~~
14 ~~Section 423.003 or 423.004,~~

15 ~~(2) recover a civil penalty of:~~

16 ~~(A) \$5,000 for all images captured in a single~~
17 ~~episode in violation of Section 423.003, or~~

18 ~~(B) \$10,000 for disclosure, display,~~
19 ~~distribution, or other use of any images captured in a single~~
20 ~~episode in violation of Section 423.004, or~~

21 ~~(3) recover actual damages if the person who captured~~
22 ~~the image in violation of Section 423.003 discloses, displays, or~~
23 ~~distributes the image with malice.~~

24 ~~(b) For purposes of recovering the civil penalty or actual~~
25 ~~damages under Subsection (a), all owners of a parcel of real~~
26 ~~property are considered to be a single owner and all tenants of a~~
27 ~~parcel of real property are considered to be a single tenant.~~

1 ~~(c) In this section, "malice" has the meaning assigned by~~
2 ~~Section 41.001, Civil Practice and Remedies Code.~~

3 ~~(d) In addition to any civil penalties authorized under this~~
4 ~~section, the court shall award court costs and reasonable~~
5 ~~attorney's fees to the prevailing party.~~

6 ~~(e) Venue for an action under this section is governed by~~
7 ~~Chapter 15, Civil Practice and Remedies Code.~~

8 ~~(f) An action brought under this section must be commenced~~
9 ~~within two years from the date the image was:~~

10 ~~(1) captured in violation of Section 423.003; or~~

11 ~~(2) initially disclosed, displayed, distributed, or~~
12 ~~otherwise used in violation of Section 423.004.~~

13 SECTION 5. Sec. 423.005~~7~~. RULES FOR USE BY LAW ENFORCEMENT.
14 The Department of Public Safety shall adopt rules and guidelines
15 for use of an unmanned aircraft by a law enforcement authority in
16 this state.

17 SECTION 6. Sec. 423.006~~8~~. REPORTING BY LAW ENFORCEMENT
18 AGENCY. (a) Not earlier than January 1 and not later than January
19 15 of each odd-numbered year, each state law enforcement agency and
20 each county or municipal law enforcement agency located in a county
21 or municipality, as applicable, with a population greater than
22 150,000, that used or operated an unmanned aircraft during the
23 preceding 24 months shall issue a written report to the governor,
24 the lieutenant governor, and each member of the legislature and
25 shall:

26 (1) retain the report for public viewing; and

27 (2) post the report on the law enforcement agency's

1 publicly accessible website, if one exists.

2 (b) The report must include:

3 (1) the number of times an unmanned aircraft was used,
4 organized by date, time, location, and the types of incidents and
5 types of justification for the use;

6 (2) the number of criminal investigations aided by the
7 use of an unmanned aircraft and a description of how the unmanned
8 aircraft aided each investigation;

9 (3) the number of times an unmanned aircraft was used
10 for a law enforcement operation other than a criminal
11 investigation, the dates and locations of those operations, and a
12 description of how the unmanned aircraft aided each operation;

13 (4) the type of information collected on an
14 individual, residence, property, or area that was not the subject
15 of a law enforcement operation and the frequency of the collection
16 of this information; and

17 (5) the total cost of acquiring, maintaining,
18 repairing, and operating or otherwise using each unmanned aircraft
19 for the preceding 24 months.

20 SECTION 7. Sec. 423.007~~9~~. REGULATION OF UNMANNED AIRCRAFT
21 BY POLITICAL SUBDIVISION. (a) In this section:

22 (1) "Political subdivision" includes a county, a joint
23 board created under Section 22.074, Transportation Code, and a
24 municipality.

25 (2) "Special event" means a festival, celebration, or
26 other gathering that:

27 (A) involves:

1 (i) the reservation and temporary use of
2 all or a portion of a public park, road, or other property of a
3 political subdivision; and

4 (ii) entertainment, the sale of
5 merchandise, food, or beverages, or mass participation in a sports
6 event; and

7 (B) requires a significant use or coordination of
8 a political subdivision's services.

9 (b) Except as provided by Subsection (c), a political
10 subdivision may not adopt or enforce any ordinance, order, or other
11 similar measure regarding the operation of an unmanned aircraft.

12 (c) A political subdivision may adopt and enforce an
13 ordinance, order, or other similar measure regarding:

14 (1) the use of an unmanned aircraft during a special
15 event;

16 (2) the political subdivision's use of an unmanned
17 aircraft; or

18 (3) the use of an unmanned aircraft near a facility or
19 infrastructure owned by the political subdivision, if the political
20 subdivision:

21 (A) applies for and receives authorization from
22 the Federal Aviation Administration to adopt the regulation; and

23 (B) after providing reasonable notice, holds a
24 public hearing on the political subdivision's intent to apply for
25 the authorization.

26 (d) An ordinance, order, or other similar measure that
27 violates Subsection (b) is void and unenforceable.

1 SECTION 8. To the extent of any conflict, this Act prevails
2 over another Act of the 86th Legislature, Regular Session, 2019,
3 relating to nonsubstantive additions to and corrections in enacted
4 codes.

5 SECTION 9. This Act takes effect September 1, 2019.